

REMARKS

Upon entry of the instant Amendment, Claims 1-10, 12, 14, and 19-20 are pending. Claims 1, 5, 12, 14, and 19 have been amended to more particularly point out Applicant's invention.

Claims 5-10, 12, and 14 were rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement. Paragraph states that the "original disclosure describes first and second clock domains, as operable at corresponding first and second frequencies, without any in-depth information on correlation between the domains." This is incorrect. Page 4, line 6 of the Specification states that the frame clock is "derived from an external source, such as a base station." Page 4, lines 15-16 state that the sampling clock is "provided by a local oscillator." As such, the Specification explicitly defines "correlation between the domains" and the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 5-10, 12, 14, and 19 were rejected under 35 U.S.C. 112, second paragraph as failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4 and 8 have been canceled. Claim 19 has been amended to recite "said clock being a frame clock rate." As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 5, 12, and 14 were rejected because "it is not understood what different frequency domains are considered external to each other and what are not." Claims 5, 12, and 14 recite that the second clock domain is external the first clock domain. Thus, the second clock domain, different from the first clock domain, is external the first clock domain. Further, the claims have been amended to recite that the first clock domain is "local" and the second is "remote." As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 1-10, 12, 14, and 19-20 have been rejected under 35 U.S.C. 103 as being unpatentable over Greenblatt, U.S. Patent No. 5,136,586 ("Greenblatt") in view of Matsumoto, U.S. Patent No. 5,812,944 ("Matsumoto"). Applicants respectfully submit that the claimed invention is not taught, suggested or implied by Greenblatt or Matsumoto, either singly or in combination.

As discussed in the Specification, and in response to the previous Official Action, the present invention relates to a system and method for rate adjustment and jitter buffering. A rate adjustment system according to an embodiment of the invention includes a first jitter buffer pair and a second buffer pair. The buffers in the first and second jitter buffer pairs are swapped to effect a rate adjustment. In particular, the buffers in the pairs are alternately filled at a first clock rate and emptied at a second. The swapping occurs simultaneously at the second clock rate. In some embodiments, the first clock domain is associated with a local sample clock frequency and the second clock domain is associated with a remote frame clock frequency external the first clock.

In contrast, while Greenblatt provides a clock C and a clock C2, these are not from first and second domains, as recited in the claims at issue. Indeed, these are both sample clocks (the clock C samples voice V and the clock C2 samples voice V') and are derived from a single clock source and therefore single domain. The Examiner's attention is directed to FIG. 5 of Greenblatt, in which a single "high speed system clock" is divided into clocks C and C2. Because Greenblatt does not provide first and second clock domains, Greenblatt also does not provide pairs of jitter buffers that interface between such domains.

Paragraph 10 of the Official Action acknowledges that clocks C and C2 are derived from the same clock, yet maintains that these are different domains. While the Patent Office is entitled to a broad interpretation of claims, it is not entitled to one that is illogical or contradicts the understanding of a person of ordinary skill in the art. Indeed, the Patent Office provides no basis whatsoever for the assertion that applicant's first and second domains would be interpreted as being derived from a same clock or that the recitation would ever be understood as such by a person of ordinary skill in the art. Furthermore, because these are derived from the same clock, one is not "external" another; nor is one remote and one local.

Paragraph 11 of the Official Action states that "[t]he disclosure...does not provide any in-depth information on what source is considered "external." As discussed above, the Specification explicitly discusses this issue and, in any case, the claims have been amended to recite "local" and "remote."

Matsumoto is relied on for allegedly teaching a bi-directional wireless system. However, Matsumoto does not teach, suggest, or imply, that pairs of jitter buffers interfacing across different clock domains can be alternated, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

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